

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**IN RE: AMARANTH NATURAL GAS
COMMODITIES LITIGATION**

Master File No. 07 civ. 6377 (SAS)

This Document Relates To:

**Document Demand for ALX Energy,
Inc. and James DeLucia**

ALL ACTIONS

PLEASE TAKE NOTICE that defendants, ALX Energy, Inc. and James DeLucia, by their attorney, STEVEN R. GOLDBERG, ESQ., hereby demand of Plaintiff production of true and accurate copies of the following documents pursuant to Federal Rules of Civil Procedure 26 and 34 and local rule 26.3, including, without limitation, the instructions and definitions contained therein:

Definitions in addition to those within, Federal Rules of Civil Procedure, Federal Rules of Evidence and local rules:

1. The following parties, persons and individuals shall be defined as follow:
 - a. "Amaranth" shall refer to all defendants which include the name "Amaranth" within its company name as well as parties named as defendants herein who were officers, directors or employees of any of the "Amaranth" companies, both collectively and/or individually.
 - b. "Floor broker" shall refer to ALX Energy, Inc. (hereinafter "ALX", James DeLucia, TFS Energy Futures, Inc. and Gotham Energy Brokers, Inc. and their servants, agents and employees., both collectively and/or individually,

- c. "J.P. Morgan" shall refer to J.P. Morgan Chase & Co. and J.P. Morgan Futures, Inc. collectively and/or individually and their servants, agents and employees, both collectively and/or individually.
- d. "Plaintiffs" shall refer to all named plaintiffs and all class members, both collectively and individually.
- e. "Settlement day(s)" shall refer to the three dates on which the complaint alleges that one or more defendants "slammed the close" (February 24, March 29 and April 26, 2006).
- f. "Week surrounding the settlement days" shall refer to two day prior to each settlement day through five days following each settlement day, inclusive.
- g. "Minutes of company meetings" shall refer to minutes of the transactions and business discussed at formal or informal meetings of the companies referred to in the individual demand. "Minutes" refers to the recording of company business as is traditionally understood by the use of the word.

Documents Requested:

- 1. Documents listed in plaintiff's previously served initial disclosure.
- 2. Documents disclosed to the Federal Energy Regulatory Commission pertaining to any transaction or other topic relevant to this action.
- 3. Documents disclosed to the Commodity Futures Trading Commission pertaining to any transaction or other topic relevant to this action.
- 4. Communications between a floor broker and any other party to this action pertaining to any matter relevant to this action.
- 5. Communications between a floor broker and any entity or person not a party to this action pertaining to any matter relevant to this action.

6. Communications between any defendants pertaining to any matter relevant to this action.
7. Communications between any defendant and a non-party pertaining to any matter relevant to this action.
8. Communications by and/or between any plaintiff pertaining to any transaction or other topic relevant to this action.
9. Communications between any plaintiff and any defendant pertaining to any matter relevant to this action.
10. Transcripts of any deposition taken of any party to this action by the CFTC or FERC or in any action which concerns the subject matters of the plaintiffs' corrected consolidated class action complaint (hereinafter "complaint").
11. Trading cards or such similar documents for the class period, including but not limited to trades made on NYMEX and ICE Exchanges.
12. Order tickets and blotters for the class period, including but not limited to trades made on NYMEX and ICE Exchanges.
13. Daily activity logs for the class period.
14. Daily trading statements for the class period.
15. Monthly trading statements for the class period.
16. Documents other than trading statements recording trades made for the class period.
17. Documents indicating that ALX Energy, Inc. "slammed the close" as described in Paragraph 8 of the complaint.
18. Documents indicating that James DeLucia "slammed the close" as described in Paragraph 8 of the complaint.

19. Documents indicating that ALX was Amaranth's primary NYMEX natural gas floor brokerage firm as described in Paragraph 34 of the complaint.
20. Documents indicating that ALX had knowledge of and aided and abetted the Amaranth Defendants throughout the Class Period as described in Paragraph 35 of the complaint.
21. Copies of all documents produced to the other defendants to this action.
22. Documents pertaining to identity of "vinnie," who was a subject of the complaint.
23. Documents pertaining to visits to Amaranth offices or employees by Vincent Rufa.

July 21, 2008
New York, New York

s/Steven R. Goldberg
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